

PENNSYLVANIA TREASURY DEPARTMENT
PROCUREMENT SOLE SOURCE JUSTIFICATION

Bureau: Unclaimed Property

Contractor: ICE Data Services

Agency Purchase Requisition No. 21-0113

A) Reason(s) for Sole Source Procurement:

- Only a single contractor is capable of providing the service.
- Only known source; similar services/commodities are not available from another contractor.
 - Service must be compatible with existing equipment.
- A federal or state statute or federal regulation exempts the service from the competitive procedure and there is appropriate justification to do so.
- It is clearly not feasible to award the contract for services on a competitive basis.
- The services are to be provided by attorneys or litigation consultants selected by the Department.
- The services are to be provided by expert witnesses.
- The services involve the repair, modification or calibration of equipment, and they are to be performed by the manufacturer of the equipment or by the manufacturer's authorized dealer, provided the contracting officer determines that bidding is not appropriate under the circumstances.
- The contract is for financial or investment experts to be used and selected by the Department.
- The contract is for supplies or services is in the best interest of the Commonwealth.
- Part I, Chapter I of the Pennsylvania Procurement Handbook issued by the Department of General Services under the authority of Commonwealth Procurement Code, 62 P.S. Section 101 *et seq.*, exempts Treasury from the policies, procedures, and guidelines of the handbook for the licensing of specialized computer software.

B) Briefly describe the supply or service item you are requesting and its function.

ICE Data Services provides online corporate actions, cash/reinvested dividend histories, historical pricing and a unique Cost Basis Calculator.

- C) Describe the unique features/compatibility of the supply, service or construction item that precludes competitive procurement.

ICE Data Services offers a unique Cost Basis Calculator, which meets the Bureau's needs by providing a comprehensive corporate capital history of securities for a specified timeframe. This enables our staff to compute the correct value of securities due to reported owners.

- D) What research has been done to verify the contractor as the only known source?

See attached

- E) Does the contractor have any distributors, dealers, resellers, etc., that sell the supply, service, or construction item?

No

- F) Must this supply, service or construction item be compatible with present inventory/equipment or in compliance with a manufacturer's warranty or existing service agreement? If yes, please explain.

No

- G) If this is an initial procurement, what are the future consequences of the procurement? That is, once this procurement is approved and processed, what additional upgrades/additions/supplies/ services/construction, etc., are anticipated/projected over the useful life of this item?

Not an initial procurement. Moreover, no additional upgrades/additions/supplies/services are anticipated over the useful life of this item.

- H) If this is an upgrade, addition, alteration, etc., to an existing service? How was the original service procured (sole source or competitive)? What additional, related, sole source procurements have occurred since the initial procurement? Please identify the previous purchase order or contract number(s).

This is not an upgrade, addition or alternation to an existing service. The original service was procured via sole source.

- I) How has this service been procured in the past? (Competitive sealed bidding, competitive sealed proposals, sole source, other). Please provide document numbers.

The original service was procured via sole source.

- J) What are the consequences of not procuring this specific supply or service item?

All calculations would need to be completed manually. Any manual calculation increase the risk that certain corporate actions are not identified, thus increasing the risk that the true and correct dollar amount to be returned to the rightful owner is misstated.

- K) How long has the agency known that the supply or service was needed, and why wasn't the contract process started earlier?

Timing is not the reason for sole sourcing this contract.

- L) If timing is a factor, who established the time frame and why?

n/a

- M) What are the consequences of not procuring this specific service within the established time frame?

Failure to satisfy Treasury' Fiduciary Duty as the custodian for unclaimed funds. Unclaimed proeprty is held in perpetuity for the rightful owner. Failure to accurately record and hold in possession the true and correct dollar amount of unclaimed property on behalf of the rightful owner (or owner's heirs).

- N) List any other information relevant to the acquisition of this service.

n/a